



TOWN OF LOS GATOS

PLANNING COMMISSION MEETING ACTION MINUTES

TOWN COUNCIL CHAMBERS

110 E. MAIN STREET

WEDNESDAY, MARCH 23, 2005 -- 7:00 P.M.

Please refer to compact disk #03-23-05 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Phil Micciche, Chair; Michael Burke, Vice Chair D. Michael Kane, Thomas O'Donnell, Lee Quintana, Joanne Talesfore and Morris Trevithick

Absent: None

Others: Community Development Director Bud Lortz, Assistant Community Development Director Randy Tsuda, Planning Technician Rachel Bacola, Assistant Planner Judie Gilli, Town Attorney Orry Korb and Associate Civil Engineer Fletcher Parsons

VERBAL COMMUNICATION

Ray Davis Commented on a former Los Gatos resident returning to the area who noticed the continuing beauty of the hillsides. Also commented that the site visit by the Planning Commissioners to the 66 acre site on Shady Lane in which the public was not invited is a violation of the Brown Act.

APPROVAL OF MINUTES

February 23, 2005 - Motion by Commissioner Burke and seconded by Commissioner Trevithick to approve meeting minutes. Approved 7-0.

March 9, 2003 - Motion by Commissioner O'Donnell and seconded by Commissioner Trevithick to approve meeting minutes. Approved 7-0.

At the direction of Chair Micciche, the Commercial Design Guidelines (Item 2) was moved to the last item on the agenda.

CONSENT CALENDAR - None

CONTINUED PUBLIC HEARING

ITEM 1 **310 Santa Rosa Drive**
Architecture and Site Application S-05-17

Requesting approval to construct a second story addition to a single family residence that will result in a home that exceeds the Floor Area Ratio on property zoned HR- 2 1/2. APN 527-55-036.

PROPERTY OWNER/APPLICANT: John Versgrove
(Continued from February 9, 2005)

PUBLIC TESTIMONY by Tony Jeans.

MOTION: Motion by Commissioner Quintana and seconded by Commissioner Trevithick to deny Architecture and Site Application S-05-17.

Motion carried 7-0.

Appeal rights recited by Mr. Korb

NEW PUBLIC HEARINGS

ITEM 3 **59 N. Santa Cruz Avenue, Suite C**
Conditional Use Permit U-05-012

Requesting approval to legalize and continue to operate a formula retail store on property zoned C-2. APN 510-44-029.

PROPERTY OWNER: Bean Avenue Associates
APPLICANT: Tom Kelley, Sports Gallery Authenticated

PUBLIC TESTIMONY. Thomas and Marc Kelley, David de Carion and Thomas Fehrenbach.

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Talesfore to approve Conditional Use Permit U-05-012.

Motion carried 6-1 with Commissioner Quintana dissenting for the following reasons: 1) Concentration of formula retail uses in the area and the existing ordinance doesn't distinguish between types of formula stores; 2 & 3) Findings #2 and #3 as stated in Exhibit A attached to the report dated March 17, 2005.

Appeal rights recited by Mr. Korb

ITEM 4 **15390 Winchester Blvd**
Architecture and Site Application S-05-007

Appeal of the decision of the Development Review Committee approving the demolition and construction of a new single family residence on property zoned RM:5-12. APN 424-29-023.

PROPERTY OWNER/APPLICANT: Don Bersano

APPELLANT: James and Barbara Sanders

PUBLIC TESTIMONY by Rodger Griffin, Jim and Barbara Sanders

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Quintana to continue Architecture and Site Application S-05-007 to a date certain. Motion by Commissioner Burke and seconded by Commissioner Trevithick to continue to May 11, 2005.

Motion carried 7-0.

ITEM 5 **649 University Avenue**
Conditional Use Permit U-04-0018

Requesting approval to install a wireless telecommunication facility on property zoned LM. APN 529-10-085

PROPERTY OWNER: Lupe Compean

APPLICANT: Velocitel and AT&T

PUBLIC TESTIMONY by Howard Yee and Ray Davis.

MOTION: Motion by Commissioner Quintana and seconded by Commissioner Kane to approve Conditional Use Permit U-04-0018.

Motion carried 7-0.

Appeal rights recited by Mr. Korb.

ITEM 6 **107 Drysdale Drive**
Architecture and Site Application S-05-16
Negative Declaration ND-05-05

Requesting approval to construct a single family residence on property zoned HR-1. No significant environmental impacts have been identified and a Negative Declaration is recommended. APN 527-04-009.

PROPERTY OWNER/APPLICANT: Howell & McNeil Dev. LLC

PUBLIC TESTIMONY by Gregory Howell, Robert Stephens, Dr. Randal Pham, Bernard Coullahan, Ray Davis and Larry Turner,

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Trevithick to deny Architecture and Site Application S-05-16 and Negative Declaration ND-05-05.

Motion carried 7-0.

Appeal rights recited by Mr. Lortz.

Chair Micciche and Mr. Lortz requested that the record show Commissioner Quintana left the meeting at this point due to illness.

ITEM 2 **Commercial Design Guidelines**

Consider the following specific draft documents regarding commercial development in Los Gatos:

1. *Commercial Design Guidelines*
2. Policy on Minor Alterations to Commercial Buildings
3. Zoning Code Amendment A-05-01
4. Resolution on Modification of Use

Consider adoption of the draft Commercial Design Guidelines and a Town Code amendment regarding conditional use modification. It has been determined that this project could not have a significant impact on the environment, therefore, the project is not subject to the California Environmental Quality Act (Section 15061 (b)(3)).

APPLICANT: Town of Los Gatos
(Continued from March 9, 2005)

PUBLIC TESTIMONY- None

MOTION: Motion by Commissioner Talesfore and seconded by Commissioner O'Donnell to recommend that Town Council approve the final document.

Motion carried 6-1 with Commissioner Quintana absent.

CONTINUED OTHER BUSINESS - None

NEW OTHER BUSINESS - None

Sub-Committee Reports - None

Report from Director of Community Development - Mr. Lortz noted that the Town Council/Planning Commission Retreat will be held on April 27, 2005 in lieu of a Planning Commission meeting. Retreat will start at 6:00p.m. and there will be no General Plan Committee meeting that night.

ADJOURNMENT

Chair Micciche adjourned the meeting at approximately 11:00 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
March 23, 2005

Phil Micciche, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development